

The 17th December, 1974

No. 11966-4Lab-74/38057.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Chatter Sain Foundry, and Rolling Mills, Samalkha.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA  
ROHTAK

Reference No. 46 of 1973

between

SHRI BARU RAM AND THE MANAGEMENT OF M/S CHATTER SAIN FOUNDRY AND  
ROLLING MILLS, SAMALKHA

Present :—

Shri Surinder Kaushal, for the management.

Nemo, for the workman.

#### AWARD

By order No. ID/KNL/157-C-73/31869-73, dated 5th July, 1973, of the Governor of Haryana the following dispute between the management of M/s Chatter Sain Foundry and Rolling Mills, Samalkha and its workman Shri Baru Ram was referred to this Court for adjudication in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Baru Ram was justified and in order ? If not, to what relief is he entitled ?”

The parties put in their respective pleadings giving rise to the following two issues:—

1. Whether Shri Baru Ram claimant was a Contractor and not a workman as defined under section 2-S of the Industrial Disputes Act ?
2. Whether the termination of services of Shri Baru Ram was justified and in order ? If not, to what relief is he entitled ?

But before any evidence was led on the above issues, the parties obtained some adjournments for arriving at some amicable settlement outside the court. The management has filed the memorandum of settlement dated 7 November 1974 which purports to have been signed by Shri Baru Ram, workman concerned and witness by two other persons namely, S/Shri Parhlad Singh and Ram Sarup Batra Clerks of the Labour Officer, Panipat. Notice of the alleged settlement was given to the workman concerned but he is not coming forward to deny the same. Shri Surinder Kaushal as authorised representative of the management has sworn testimony to its genuineness. I do not see any reason to disbelieve his statement especially when the workman and his authorised representative are not coming forward to deny the settlement.

In the result, a no dispute award is given, as per the terms of the settlement, dated 7th November, 1974 Ex. M. 1. There shall be no order as to costs.

Dated 9th December, 1974.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Rohtak.

No. 2859, dated 12th December, 1974.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.